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TO RUEHC/SECSTATE WASHDC PRIORITY 5438  
INFO RUCNRAQ/IRAQ COLLECTIVE PRIORITY  
RUEKJCS/JOINT STAFF WASHINGTON DC PRIORITY  
RUEKJCS/SECDEF WASHINGTON DC PRIORITY  
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RUEHNO/USMISSION USNATO PRIORITY 0145

C O N F I D E N T I A L SECTION 01 OF 02 WARSAW 002188

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STATE FOR NEA/I-PM STEPHEN EPSTEIN

E.O. 12958: DECL: 11/01/2017

TAGS: [MARR](#) [MOPS](#) [PREL](#) [IZ](#) [PL](#)

SUBJECT: POLAND'S IRAQ DEPLOYMENT REQUIREMENTS

REF: A. SECSTATE 150164

[1](#)B. WARSAW 02142

Classified By: DCM Kenneth M. Hillas for reasons 1.4(b) and (d).

[1](#)1. (C) SUMMARY: Poland faces significant political and legal obstacles to continuing its Iraq deployment beyond 2008, especially without an applicable United Nations Security Council Resolution (UNSCR). Civic Platform (PO), which won the October 21 parliamentary elections and is certain to form the next government, has already announced its intent to start withdrawing Polish troops in 2008 (ref B). Each of the last four Polish governments has legally required a UNSCR to stay in Iraq. Of Ref A's four scenarios for future deployments to Iraq, we believe the first three would require parliamentary ratification. The fourth scenario resembles Poland's current arrangement in Afghanistan, which required only an executive decision, and therefore seems the route by which the new Polish government could commit to staying longer in Iraq. Moreover, Poland has also expressed a preference for serving in Afghanistan because of that mission's NATO character. So the best chance for keeping Poland in Iraq might be to highlight the NATO aspect of that mission by inviting the Poles to increase their participation in the NATO Training Mission there. END SUMMARY.

Ending Iraq Deployment Was Consistent Campaign Pledge

[1](#)2. (C) For months now, PO leadership has consistently called for an end to Poland's deployment in Iraq (ref B and previous), reflecting the widespread unpopularity of the war in Poland. PO deputy leader (and likely the next Parliamentary Speaker) Bronislaw Komorowski repeated this campaign pledge on October 22 after PO's unexpectedly strong victory. International press seized upon the story, though it is nothing new. PO leaders, including Komorowski, Bogdan Zdrojewski, and presumptive Prime Minister Donald Tusk began saying this year that they thought Poland had done enough in Iraq and should withdraw after the current mandate expires on December 31, 2007. While the timing of a withdrawal may be an issue, there is little question that a withdrawal will occur. Komorowski's statements that "Poland has fulfilled its obligations to the United States in Iraq 400 percent...and I don't believe it serves our policy to raise that to 500 percent" added emphasis to what has been PO's consistent policy. There will be an opportunity to discuss the timing of a withdrawal, but it is hard to think that PO will walk away from this campaign pledge entirely. Poles have told us repeatedly they will have a phased withdrawal, nothing akin to what the Spanish government did when it removed its troops from Iraq, and Polish military planners were working on possible phase outs even before the elections.

## UNSCR Has Been "Legal Basis" for Polish Deployment

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¶3. (C) The GOP has consistently cited the need for a UNSCR in order to maintain Poland's presence in Iraq. In fact, in 2005 and 2006, the GOP did not formally consider Polish deployments until after the relevant UNSCR was reaffirmed. Given PO's focus on multilateralism, we expect this trend to continue. Therefore, getting the new government to agree to any of the four scenarios presented in ref A would present a significant challenge.

### Response to the Four Scenarios for Extension

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¶4. (C) Because the need, or lack of need, for legislative ratification is a key question for all the scenarios proposed, the Polish approach to ratification deserves some explanation. The Polish constitution requires "Ratification of an international agreement by the Republic of Poland...if such an agreement concerns: peace, alliances, political or military treaties...freedoms, rights or obligations of citizens..." When a specific proposal is tabled, lawyers at the Polish Ministry of Foreign Affairs will determine if the proposal in question requires legislative ratification. But, from past experience and the verbiage quoted above we can conclude that the Poles would pursue legislative ratification for the first three scenarios, ratification can easily take several months.

¶5. (C) As per ref A, the first scenario is a U.S.-Iraq agreement that troop-contributing nations could join. From the GOP's point of view, that would be an international

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agreement concerning alliances and so require ratification. Scenario two is a U.S.-Iraq agreement to which troop-contributing nations could "sign up" for third party rights and obligations. After a careful review of this proposal, the GOP would determine that the "obligations" in this international agreement similarly required ratification. The third scenario called for troop-contributing nations to conclude separate bilateral agreements with Iraq with U.S. assistance. This would amount to an international agreement on alliances between Poland and Iraq, it would require ratification.

¶6. (C) The fourth scenario, serving under U.S. command, resembles Poland's current arrangement in Afghanistan where Poles serve under U.S. command. This was an executive decision that did not require any legislative action. Hence, of the four scenarios presented the last one is most feasible if Poland expresses the political will to remain in Iraq.

### The Bottom Line - NATO Training Mission in Iraq

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¶7. (C) COMMENT: Regardless of which scenario we might pursue with Poland, the key obstacle is political will. The incoming government has clearly and repeatedly stated its desire to withdraw from Iraq, albeit in a responsible way, while at the same time expressing its willingness to stay on in Afghanistan - in part because of that mission's NATO character. Therefore, we might seek to maximize Polish participation in Iraq by asking Poland to increase its contribution to the NATO Training Mission there. This compromise could allow the incoming government to reconcile further support for Iraq with its calls for a responsible withdrawal. END COMMENT.  
HILLAS